



PTO/SB/21 (10-07)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

10/579,847

Filing Date

June 6, 2008

First Named Inventor

Ivan Melnyk

Art Unit

2877

Examiner Name

Attorney Docket Number

OY4247US (#90571)

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) \_\_\_\_\_

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Landscape Table on CD

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After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify  
below):

Post card

**Remarks**Please charge any additional fee or credit any overpayment to  
applicant's attorney's Deposit Account No. 08-2441.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

D. Peter Hochberg Co., L.P.A.

Signature

Printed name

D. Peter Hochberg

Date

September 18, 2008

Reg. No.

24,603

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Christine Kotran

Date

9 / 18 / 2008

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Ivan Melnyk  
Serial No. : 10/579,847 / Confirmation No. 3630  
Filing Date : June 6, 2008  
Examiner :  
Group Art Unit: 2877  
Title : OPTICAL DEVICE AND METHOD FOR SENSING  
MULTIPHASE FLOW  
Attorney File : OY4247US (#90571)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT IN RESPONSE TO  
NOTICE OF NON-COMPLIANT AMENDMENT**

Dear Sir:

In response to the "Notice of Non-Compliant Amendment" mailed September 12,  
2008, please amend the claims of the above-identified application as follows: